



NEW HAVEN COUNTY
STATE MARSHAL

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VIA EMAIL

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**RE: H.B. No. 6372 (RAISED) AN ACT EXEMPTING FROM EXECUTION
CERTAIN FUNDS IN A JUDGMENT DEBTOR'S ACCOUNT.**

Dear Members of the Banking Committee:

I write to express **opposition** of H.B. 6372.

H.B. 6372 would place significant roadblocks in front of creditors simply trying to collect their court ordered money judgments. This proposed bill would have a financial institution not even inform the debtor that a bank execution was served, because the bank would simply send the execution back to the State Marshal as unable to be processed, with no funds available for execution.

H.B. 6372 would effectively remove the practical use of a bank executions for self-represented litigants. Banks would not process many executions due to the automatic exemptions. The debtors would never receive any notice of the service of the execution. If bank executions become essentially non-effective, people will stop applying for them. The judicial branch charges a fee of \$105 for an execution, and those court revenues will dry up.

My work is primarily in New Haven. As a marshal, I help many self-represented litigants collect their judgments. These are small business owners owed money or tenants trying to collect security deposits their landlords never returned. They utilized the small claims system, most for the first time, and the defendant didn't pay after they won their case. HB 6372 is going to make it harder for the parties to resolve the outstanding debt. The current statute already allows the defendant to claim by right the first \$1,000 in their account as exempt. But if you make this exemption automatic, there will be no prompting of the defendant by the bank, no court hearing, no meeting of the parties, and communication between the parties may never occur. In my experience, an attachment of a bank account is sometimes the only way a debtor responds to a creditor.

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Additionally, HB 6372 places obstacles in the way of our municipalities collecting delinquent taxes. Alias Tax Warrants can be served on banks to collect delinquent local taxes. According to CGS 12-162 tax warrants are subject to the provisions of CGS 52-367b that this bill amends.

The impact of H.B. 6372 extends to every municipality in CT that utilizes Alias Tax Warrants to collect motor vehicle, personal property, and real estate taxes owed. Tax warrants served on banks would be rendered an ineffective tool for our local tax collectors if this bill passes because the automatic exemptions would have the bank just return the warrant and never alert the taxpayer.

Please consider the impact of this bill. The current protections are sufficient and strike an important balance for creditors, debtors, municipalities, and the small businesses who utilize our courts. **Please reject H.B. 6372.**

Respectfully submitted,

Brian Mezick
Connecticut State Marshal
County of New Haven